

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL CASE NO. 3:08cv443

**HILDA L. SOLIS,
Secretary of Labor, United States
Department of Labor,**

Plaintiff,

vs.

**PEOPLE UNLIMITED CONSULTING, INC.
401(k) RETIREMENT PLAN, a benefit plan,
PEOPLE UNLIMITED CONSULTING, INC.,
JANICE LOVE, an individual, and
LINDA MARLER, an individual.**

Defendants.

DEFAULT JUDGMENT

THIS MATTER is before the Court on the Plaintiff's Motion for Default Judgment [Doc. 13].

The Plaintiff brought this action on September 25, 2008 pursuant to Sections 502(a)(2) and 502(a)(5), 29 U.S.C. §§1132(a)(2) & (a)(5) of the Employee Retirement Income Security Act (ERISA) of 1974, as amended, 29 U.S.C. §§1001, *et. seq.* [Doc. 1]. The Defendants were thereafter served pursuant to Federal Rule of Civil Procedure 4 and, having failed to

appear, the Clerk of Court entered default on June 19, 2009. [Doc. 12]. The Plaintiff has now moved for entry of default judgment and the Court finds, for the reasons stated in the motion, that judgment should be entered.

JUDGMENT

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED as follows:

1. The Plaintiff's Motion for Default Judgment [Doc. 13] is hereby **GRANTED**;
2. People Unlimited Consulting, Inc., Janice Love and Linda Marler are hereby **ENJOINED** from violating the provisions of Title I of ERISA; and
3. People Unlimited Consulting, Inc., Janice Love and Linda Marler are hereby permanently **ENJOINED** from acting as fiduciaries, trustees, agents or representatives in any capacity to any employee benefit plan, as defined by ERISA.



Lacy H. Thornburg
United States District Judge



Signed: July 22, 2009